

A circular black ink stamp. The text "OIP" is at the top, "FEB 26 1999" is in the center, and "PATENT & TRADEMARK OFFICE" is at the bottom.

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I hereby certify that this paper or fee, including Attachments A-F, are being deposited with the United States Postal Service "Express Mail Post Office to addressee," Express Mail Label No. EE863295453US, under 37 C.F.R. §1.10 on February 26, 1999, and is addressed to the Honorable Assistant Commissioner of Patents and Trademarks, Washington, D.C. 20231.

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February 26, 1999

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TRANSMITTAL

- (1) Notice of Appeal;
- (2) Response to Final, including Attachments A-F
 - (A) Attachment A - Copy of 37 CFR §1.131 Declaration executed by David Bova on March 27, 1996,
 - (B) Attachment B - Copy of 37 CFR §1.131 Declaration executed by David Bova on August 17, 1995,
 - (C) Attachment C - Copy of 37 CFR §1.132 Declaration executed by Arthur Raines, Ph.D., on May 22, 1996,
 - (D) Attachment D - 37 CFR §1.608(b) Declaration executed by George M. Toth on

February 26, 1999,
(E) Attachment E - Copy of the FDA approval letter, dated July 28, 1997, and
(F) Attachment F - Copy of the Parent Application filed on September 20, 1993; and


(3) Return Postcard.

A petition for an extension of time of three months to respond to the Final Office Action mailed on August 26, 1998 is hereby requested.

The Assistant Commissioner for Patents is hereby authorized to charge any and all fees due which may be required by this paper, including the \$150.00 fee associated with the filing of the Notice of Appeal and any extension of time fees, to Deposit Account No. 10-0447/32892.00002. This paper is submitted herewith in duplicate.

Respectfully Submitted,

Date: February 26, 1999


Peter J. Manso
Reg. No. 32,264

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